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1810 Chapel Avenue West
Cherry Hill, NJ 08002
(856) 661-1900
Fax: (856) 661-1919
www.flastergreenberg.com

Jeffrey A. Cohen, Esq.
Member of the NY, NJ & PA Bar
Direct Dial: (856) 382-2240
E-Mail: jeff.cohen@flastergreenberg.com

August 3, 2007

Via Fax (212) 805-7942 and First Class Mail

Honorable Alvin K. Hellerstein
Room 1050
Daniel Patrick Moynihan
United States District Courthouse
500 Pearl Street
New York, NY 10007-1312

Conf. adjourned 8/3/07
Sept 1, 2007 8-3-07
A.J.C. /Hellerstein

Re: *J & J Snack Foods Sales Corp. v. Dogsters, LLC*
In the United States District Court, Southern District of New York
No. 07-CV-03917 (AKH)

Dear Judge Hellerstein:

We respectfully submit this letter, on behalf of the Plaintiff, J&J Snack Foods Sales Corp, to request an adjournment of the Initial Conference, currently scheduled for August 10, 2007 at 9:45 am.

The basis for this request is that we have been unable to speak with Third-Party Defendant's counsel, Nancy Kim. As recently as yesterday, we spoke with Defendant, Dogsters, LLC's counsel, Noah Weissman, and attempted to contact her, but were unsuccessful. Our understanding is that Ms. Kim's office was damaged by the recent steam pipe accident and their phone lines are still not operating. Thus, we have been unable to meet and confer on the joint discovery plan and they have not been able to file their answer.

In light of the foregoing, we respectfully request an adjournment. No previous adjournments have been requested. Please note that Mr. Weissman and I are in agreement with proposing September 7, 2007 as the new date for the conference.

Thank you for your generous consideration of this matter.

Respectfully submitted,

FLASTER/GREENBERG P.C.


Jeffrey A. Cohen

cc: Noah Weissman, Esq. (via fax and first class mail)
Nancy Kim, Esq. (via fax and first class mail)